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Amit Sarkar 162 Baraud Road Scarsdale, NY 10583			EXAMINER BARQADEL, YASIN M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/715,090

Applicant(s)

SARKAR, AMIT

Examiner

YASIN BARQADLE

Art Unit

2456

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2009.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-51 is/are pending in the application.
4a) Of the above claim(s) 48-51 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 26-51 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

Response to Amendment

1. The amendment filed on October 07, 2009 regarding the Restriction Requirement has been fully considered and are deemed persuasive. However, based on the amendments filed on November 27, 2008 a new ground of rejection is hereby issued.

- Claims 26-51 are presented for examination.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claim 26 recites “LCD screen for displaying said rendered visual signals as screen flashes”, there is no proper antecedent basis for “LCD screen” and/or “visual signals as screen flashes” in the specification.

Claims 42 and 44 recite “virtual private communication” and “secure private network” respectively. There is no proper antecedent basis for “virtual private communication” and “secure private network” in the specification.

Claim 47 recites “completely captive and stateless”, there is no proper antecedent basis for “completely captive and stateless” in the specification.

Claim 47 recites “the mobile device is enabled to boot through a control server establishing, continuously monitoring and controlling connectivity and system operations.” There is no proper antecedent basis for this limitation in the specification as originally filed. There is no “boot” or “booting” or any of its equivalence in the specification. Additionally, there is no “continuously monitoring and controlling connectivity and system operations.” The Examiner interprets this limitation as the mobile input/output device is enabled to connect the primary processing unit to access and use its resources.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 26 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The

limitation of “wherein said mobile input/output device cannot process the information and cannot temporarily store the information locally” is not clearly described in the applicant's original specification. The specification does not describe how this is done. In paragraph [0046] of published specification recites “The Pseudo-mobile PC is not a separate and distinct computing device by itself and has very limited specialized computing power and storage capability compared to the primary PC.” Limited computing power and storage capability compared to the primary PC does not means “cannot process the information and cannot temporarily store the information locally”. Furthermore, claim 45 recites “the mobile input/output device further comprises a basic operating system...” which implies processing and storage capability.

Claim 26 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not show how the limitation of “wherein said mobile input/output device cannot process the information and cannot temporarily store the information locally” is performed. It is not clear how “the mobile input/output device cannot process the information and cannot temporarily store the information locally.” If it

cannot store information locally, then how in claim 45 “the mobile input/output device further comprises a basic operating system...”

Claim 45 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not show how the limitation of “the mobile input/output device further comprises a basic operating system...” Claim 45 depend on claim 26 which recites the limitation of “wherein said mobile input/output device cannot process the information and cannot temporarily store the information locally.” If it cannot store information locally, then it cannot “... further comprises a basic operating system...”

Claim 32 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of “wherein said laptop personal computer utilizes ... a Mac operating system” is not described in the applicant's original specification. There is no

mention of Mac Operating system in the specification or any other operating system other than Windows.

Claim 45 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of “wherein the mobile input/output device is incapable of downloading one or more third party software applications, locally executing said third-party software applications, and locally manipulating the third-party software applications” is not clearly described in the applicant’s original specification. Specifically, the specification does not clearly describe “the mobile input/output device is incapable of downloading one or more third party software applications, locally executing said third-party software applications...”

Claim 26 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The

specification does not describe the limitation of "LCD screen for displaying said rendered visual signals as screen flashes." There is no screen flashes in the applicant's as originally filed and certainly there is no LCD.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear how "the mobile input/output device cannot process the information and cannot temporarily store the information locally." Paragraph 0046 of the published application "The Pseudo-mobile PC is not a separate and distinct computing device by itself and has very limited specialized computing power and storage capability compared to the primary PC." The Examiner assumes the mobile input/output device can process and can store information with its limited computing power and storage locally.

Claim 45 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention., It is not clear how "the mobile input/output device further comprises a basic operating system..." when claim 26 which it depends recites "wherein said mobile input/output

device cannot process the information and cannot temporarily store the information locally". It is not clear how the mobile input/output device comprises a basic operating system when it cannot process information and cannot temporarily store the information locally. Clarification is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 48-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Boals et al U.S. Patent Number (6108727), herein "Boals".

As per claim 48, Boals teaches a method for sending information from a mobile input/output device (device 100) to a primary processing unit (host computer 101, fig. 1) for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user ("The wireless interface device 100 is thus able to control and access various programs such as

Windows and Windows application programs and files residing at the host computer 101 and display the results in its display 113.” Col. 6, lines 38-54) wherein said method comprises: :

interring said information by said user in said mobile input/output device (col. 5, lines 45-62);

digitizing and compressing said information by said user in said mobile input/output device (col. 13, lines 29-59);

converting said digitized and compressed information into a plurality of electronic signals by said input/output device (col. 70, lines 22-29); securely transmitting said electronic signals from said input/output device to said primary processing unit over a third party communication network, where said third party communication network is one of a fixed line network or wireless network (col. 5, lines 45-62);

receiving and decoding said transmitted electronic signals by said primary processing unit, wherein said decoded electronic signals are translated into system input signals for manipulating, processing, and storing information at the primary processing unit (col. 5, lines 45-62);

processing said system input signals by the primary processing unit using one or more resources of the primary processing unit to obtain processed information, wherein said resources include software and services accessible by the primary processing unit (the wireless interface device 100 accesses various programs such as Windows and Windows application programs and

files residing at the host computer 101 and display the results in its display 113, Col. 6, lines 38-54);

translating the processed information into audio-visual electronic signals at the primary processing unit (col. 12, lines 39-54 and col. 13, lines 25-32);

compressing said audio-visual electronic signals and converting said compressed audio-visual signal into cellular packets for transmission;

securely transmitting said cellular packets from primary processing unit to said mobile input/output device over said third party communication network (col. 11, lines 33-47 and col. 59, lines 13-29);

receiving said transmitted cellular packets by the mobile input/output device and decoding said received cellular transmission packets into electronic signals (col. 12, lines 39-54 and col. 13, lines 25-53); converting said decoded packets into audio-visual signals by the mobile input/output device; and

presenting said received audio-visual signals as one of an audio output, screen flashes, and a combination of both audio output and screen flashes at the mobile input/output device (col. 12, lines 39-54 and col. 13, lines 25-53);

whereby said method of input information at the mobile input/output device enables said user to access the resources of the primary processing unit (Col. 6, lines 38-54).

As per claim 49, Boals teaches system of claims 48, wherein said information is entered into said mobile input/output device using one or more input devices,

wherein said input devices comprise one or more of a keyboard, a pointing device and any combination thereof (see fig. 1, items 110, 113 col. 5, line 31-43).

As per claim 50, Boals teaches a method of claim 48, wherein said screen flashes are presented to said user using a display device, wherein said display device comprises a touch screen interface for receiving the information signals from the user through a pointer device (col. 5, line 31-43 GUI with touch sensitive is provided).

As per claim 51, Boals teaches the structure of claim 6 wherein the hardware within the pseudo-mobile PC is adapted to run software having at least four layers (Wireless device 100 conforms to the Open System Interconnection (OSI) reference model (seven layers) col. 6, lines 16-21) wherein: layer one is adapted to be a translation layer between the Pseudo-mobile PC user interface input signal and the underlying operating system of the desk top PC (col. 12, lines 39-54 and col. 13, lines 25-32. See fig. 8, 278);

layer two is adapted to digitize and compress the signals for wireless transmission (col. 13, lines 29-59); layer three is adapted to convert and compress signals and graphic into cellular transmission packets for PSTN network or another network (col. 70, lines 22-29); and layer four is adapted to

transmit the cellular packets over a cellular data transmission network through a router (col. 58, lines 18-54).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26-41,43, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fullerton et al U.S. Publication Number (20050018640) in view of Dowling et al. US Patent Number 20030050019 (hereinafter "Dowling").

As per Claims 26, and 38, Fullerton teaches a system for sending information from a mobile input/output device (fig. 11 mobile device 1104) to a primary processing unit (fig. 11, computer 1102 for receiving and processing the information sent, and transmitting the processed information from the primary processing unit back to the mobile input/output device for display and use by a user wherein said system comprises:

said primary processing unit, wherein said primary processing unit processes said information received from the mobile input/output device (§

0121 and 0130), stores said information, and handles a plurality of resources including one or more system services, one or more custom configurations, and one or more software applications (fig. 10 and (¶ 0121 and 0130), wherein said primary processing unit is connected to one or more servers for accessing said information stored in said servers (fig. 10 and ¶ 0121);

said mobile input/output device, wherein said mobile input/output device accesses the primary processing unit and the resources of the primary processing unit for processing and storing the information provided by said user at said mobile input/output device (¶ 0121 and 0130. see figures 10-11), wherein said mobile input/output device cannot process the information and cannot temporarily store the information locally (claim 48 and ¶ 0130), and wherein the mobile input/output device comprises: a user interface on said mobile input/output device for accepting said information input by said user of said mobile input/output device (figure 10 mobile 1004);

a transceiver on the mobile input/output device for transmitting said input information at the mobile input/output device (figure 10, mobile 1004 items 1008 and 1010) to said primary processing unit for processing and receiving electronic signals based on said processed input information from said primary processing unit (figure 10, 1022) over a third party communication network (WAN via gateway 1020 and ¶ 0132) , wherein said third party communication network is one of a fixed line network and a

wireless network (see figures 10 and 11) a processing unit at the mobile input/output device for rendering said received electronic signals into one or more of audio signals, visual signals, and a combination of both audio signals and visual signals (¶ 0116); an LCD screen for displaying said rendered visual signals as screen flashes to said user of the mobile input/output device (¶ 0116); and a speaker for presenting said rendered audio signals to the user as audio output at the mobile input/output device (figure 10 and ¶ 0116).

As per Claims 26 and 31, although Fullerton shows substantial features of the claimed invention including using wireless network, Fullerton does not explicitly show where the input/output device is integrated to and is part of one of a cell phone and a personal digital assistant.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Fullerton, as evidenced by Dowling USPN. (20030050019).

In analogous art, Dowling whose invention relates to the field of mobile communication systems using a cellular network connection (col. 1, lines 9-12), discloses a cell phone/PDA (fig. 3, handheld device 300 ¶ 0041). Giving the teaching of Dowling, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Fullerton by combining the cellular network system of Dowling in order to utilize the cell

phone/PDA in conjunction with the wireless networks for the benefit of attaining required data access over the Internet while being mobile.

As per claim 27, Fullerton teaches the system of claims 26, wherein the third party communication network is one of a wireless carrier network, a wireless local area network (figure 10 and 11), a Wi-Fi connection, a Wi-Max connection, and a publicly available "hotspot" (§ 0116 and § 0121).

As per claim 28, Fullerton teaches system of claims 26, wherein the third party communication network is one of land line based broadband from an Internet service provider and a local area network providing Internet service via land line (figure 10-11 and § 0132).

As per claim 29, Dowling teaches system of claims 26, wherein the input/output device comprises a monitor having a touch sensitive screen (§ 0028).

As per claim 30, Dowling teaches system of claims 26, wherein the input/output device comprises one of an external keyboard, an on-screen keyboard and a combination of external keyboard and an on-screen keyboard and further wherein the input/output device comprises, a mouse, a pointing device and a combination of a mouse and a pointing device (§ 0028-0030).

As per claim 32, Fullerton teaches system of claims 26, wherein the input/output device is integrated with a laptop personal computer, and is accessed as an independent software application and wherein said laptop personal computer utilizes one of Windows Operating system (009) and a Mac operating system.

As per claim 33, Fullerton teaches the method of claim 26 wherein the information signals transmitted to the primary processing unit from the I/O device are unprocessed electronic signals (§ 0116 and § 0121).

As per claim 34, Fullerton teaches the method of claim, wherein the primary processing unit is one of a personal computer and one or more said servers (§ 0121).

As per claim 35, Fullerton teaches the method of claim 26, wherein the primary processing unit is networked with a plurality of personal computers and servers in one of a local area network configuration and a wide area network configuration (§ 0116 and § 0121).

As per claim 36, Dowling teaches the method of claim 26, wherein the primary processing unit runs one of a Windows operating system, a Mac operating system, a Unix operating system, and a Linux operating system (§ 0009).

As per claims 37 and 39, Fullerton teaches said multi-server system, a remote data center, in addition to applications and data locally residing in hard disk, wherein the primary processing unit maintains uninterrupted connection to a server providing Internet service (§ 0116 and § 0121).

As per claim 40, Fullerton teaches the system of claim 26, primary processing unit is networked with one or more share peripherals (§ 0116).

As per claim 41, Fullerton teaches the system of claim 26, wherein the primary processing unit and mobile input/output device is connected through an intermediating server, wherein said intermediating server performs switching functions and manages connections between multiple pairs of primary processing unit and a mobile input/output device (§ 0121).

As per claim 43, Dowling teaches the system of claim 26, wherein the connection between the processing unit and the mobile input/output device is routed through the Internet (§ 0116 and § 0121).

As per claim 45, Dowling teaches the system of claim 26, wherein the mobile input/output device comprises a microprocessor specifically designed and configured to exclusively drive input and output peripherals of the mobile input/output device and one of wireless connectivity and landline connectivity (paragraph 0039 and 0053).

As per claim 46, Dowling teaches the system of claim 26, wherein the mobile input/output device comprises multiple form factors based on user preference and custom configuration including detachability of peripherals (§ 0028 and 0030 ¶ 0051).

As per claim 47, Fullerton teaches the system of claim 26, wherein the mobile input/output device is completely captive and stateless, further wherein the mobile input/output device is enabled to boot through a control server establishing, continuously monitoring and controlling connectivity and system operations (§ 0116 and ¶ 0121).

7. Claims 42 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable in view of Fullerton.

As per claims 42 and 44, Although Fullerton shows substantial features of the claimed invention as explained above, Fullerton does not explicitly show a VPN

network configured with security using point-to-point leased private lines and propriety connectivity software of a wireless network.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Fullerton. The examiner takes an official notice that a VPN network configured with security using point-to-point leased private lines capable of using propriety connectivity software of a wireless network is well known in the art. One ordinary skill in the art would use such features so that mobile clients would access their private network remotely using a VPN tunnel through the public network in a secure manner.

Conclusion

8. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yasin M Barqadle/
Primary Examiner, Art Unit 2456